



October 8, 1982

Mr. Ernest R. Haton, Jr.  
Plumas County Assessor  
P.O. Box 1016  
Quincy, CA 95971

Dear Ernie:

This letter is in response to your question of whether a change in ownership occurs under the following facts:

Because of tax delinquency, property was deeded to the State. A sale was held but there were no bidders. Approximately two months later the original assessee's bought the property.

Whether or not this transaction constitutes a change in ownership depends on whether the original assessee redeemed the property or whether they bought the property at a tax sale. Board rule 462(a) provides:

"Transfers by the sale to or deed to the state and redemption by the former assessee shall not be considered as changes in ownership. However sale by the state whether to the original owner or to a new owner is a change in ownership requiring reappraisal as of the date of the sale."

Therefore, it is important to distinguish between a redemption and a purchase at a tax sale. If the original assessee went through the redemption procedure of filing an application to redeem, paying the taxes, penalties and costs, and obtaining a redemption certificate, then no change of ownership occurred. It is possible for the original assessee to go through the redemption procedure even though the property had already once been held for sale at public auction. The right of redemption is termination only by a valid sale of the property by the state (Rev. & Tax. Code § 8787) or by a final decree quieting the state's title (Rev. & Tax. Code §§ 3605 & 3513). If, however, the original assessee purchased the property at a public auction under revenue and Taxation code Section 3693, then the transfer is a change of ownership.

If we can be of any further help in this matter, please contact us.

Very truly yours,

Michele F. Hicks  
Tax Counsel

MFH:fr

bc: Mr. Gordon P. Adelman  
Mr. Robert H. Gustafson  
Mr. Verne Walton  
Legal Section